

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN

MONDAY, THE 8TH JANUARY 2007 / 18TH PAUSHA 1928

WP(C).No. 21982 OF 2006(P)

PETITIONER:

A.K.MOHAMMED BASHEER,
ANANDA MANDIRAM, CHITTATTUMUKKU,
KANIAPURAM, TRIVANDRUM.

BY ADV. SRI.M.A.MANHU

RESPONDENTS:

1. THE JOINT REGIONAL TRANSPORT
AUTHORITY, (REGISTERING AUTHORITY),
KAZHAKOOTTAM, TRIVANDRUM.
2. THE SALES TAX OFFICER,
PEROORKADA, TRIVANDRUM.
3. STATE OF KERALA, REPRESENTED BY
ITS CHIEF SECRETARY, GOVERNMENT SECRETARIAT,
TRIVANDRUM.

GOVT. PLEADER SRI. JULIAN XAVIER.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 08/01/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WP(C) 21982/2006

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE PHOTO COPY OF THE JUDGMENT IN O.P. NO.
4577/2002 DATED 11.2.2002.

RESPONDENTS' EXHIBITS:

NIL.

// TRUE COPY//

P.S. TO JUDGE.

knc/-

P.R. RAMAN, J.
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W.P.(C) NO. 21982 OF 2006
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DATED THIS, THE 8TH DAY OF JANUARY, 2007

J U D G M E N T

At the time when the petitioner imported the motor car, respondents insisted for payment of entry tax which was the subject matter of W.P.(C) 4577/2002. As per Ext.P1 judgment in the said writ petition, this Court directed the petitioner to deposit the original title deed of his property with the second respondent as a security for payment of entry tax until a final decision is taken in the matter. It is now agreed that the Supreme Court has already disposed of the matter remanding the case to this Court for consideration on individual merits. Now that a Division Bench of this Court in **Thressiamma Chirayil v. State of Kerala** (ILR 2007(1) Ker. 61) has already held that the liability for payment of entry tax as per the Entry Tax Act is unconstitutional. In such circumstances, the title deed deposited by the petitioner shall be released to him and the endorsement, if any, made in his R.C. Book shall also be deleted.

The writ petition is disposed of as above.

P..R. RAMAN,
JUDGE.

knc/-